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Attorney for Defendant
Ronsin Photocopy, Inc.

FOR COURT USE ONLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SECOND IMAGE, INC., a California
Corporation

Plaintiff(s),

vs.

RON SIN PHOTOCOPY, a California
Corporation; CHRISTINA SANCHEZ, an
individual ; and DOES 1 through 10

Defendant(s).

CASE NO.: C075242

REPLY TO OPPOSITION TO MOTION TO
DISMISS AND DECLARATION OF
DENNIS GRANT IN SUPPORT THEREOF

DATE: December 19, 2007

TIME: 9:00 a.m.

DEPT: 3

Honorable Judge Phyllis J. Hamilton

MOHAJERIAN INC.
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1 The following is Defendant Ronsin Photocopy, Inc.'s ("Ronsin") reply to Plaintiff's
2 opposition to Ronsin's Motion to Dismiss.

3
4 I. ALL OF THE PARTIES IN THIS ACTION ARE HEADQUARTERED OR RESIDE IN
5 SOUTHERN CALIFORNIA AND THE ALLEGED INCIDENT TOOK PLACE IN
6 SOUTHERN CALIFORNIA.

7 It is undisputed that Plaintiff Second Image, Inc., Defendant Ronsin Photocopy and
8 Defendant Christina Sanchez are all either headquartered or located in Southern California.
9 Furthermore, (according to the allegations) Sanchez provided the Second Image password to
10 Defendant Ronsin in Southern California. Furthermore, the alleged computer used by Ronsin to
11 access the Second Image computer would be located in Southern California. Finally, the computer
12 technicians of Ronsin (and likely Second Image) who can testify to how, when and the number of
13 times the Second Image website was allegedly entered by Ronsin, would be located in Southern
14 California.

15 The only connection to Northern California appears to be the alleged phone call that was
16 received by Kaiser's Senior Legal Counsel Mary Parks from Ronsin (as well as Plaintiff's counsel's
17 location in Northern California). According to Plaintiff's opposition papers, Ms. Parks is located in
18 Oakland, California. Allegedly, Ms. Parks was contacted via telephone by someone from Ronsin (a
19 phone call that would have originated in Southern California) regarding the security of Second
20 Image's website.

21 The crux of Second Image's Complaint is that their website was allegedly accessed by
22 Ronsin, an unauthorized user of the website. There are no allegations that Second Image lost the
23 Kaiser account based on Ronsin's actions. Essentially, based on the location of a sole potential
24 witness, Plaintiff claims that the case belongs in Northern California. The location of the parties,
25 witnesses and evidence supports, for the convenience of all the parties and in the interests of justice,
26 the re-filing of the Complaint in United States District Court, Central District.

II. PLAINTIFF'S OPPOSITION IS INACCURATE AND GREATLY OVERSTATES THE PRESENCE OF RONSIN PHOTOCOPY, INC. IN THE NORTHERN CALIFORNIA AREA.

Plaintiff's Opposition attempts to establish that Ronsin Photocopy, Inc. has a significant presence in Northern California. However, Plaintiff has based its "facts" on outdated and inapplicable information, i.e. an ad on Craigslist for a field representative in Northern California and a very old and outdated report from Dun & Bradstreet, Inc.

The only Ronsin offices located in Northern California are field offices. Ronsin specifically has only one (1) office in the Bay area, the Hayward field office. Two (2) full time field representatives work out of this field office. (Grant Dec. at para. 3.) Ronsin has one (1) other field office in Northern California (Sacramento). A single field representative works out of this Sacramento office. Another full-time field representative works out of her home in Stockton, California. (Grant Dec. at para. 4.)

Ronsin has two (2) part-time field representatives who work from their homes located in Chico, California and Santa Rosa, California. (Grant Dec. at para. 5.) Ronsin sold its 50% ownership interest in the "Attorney Service Business" in early 2006. The Ronsin website has not been updated to reflect this change. (Grant Dec. at para. 6.)

Ronsin's website has not been updated since the Attorney Service Company was sold in early 2006. Rapid Legal is the new name of the Attorney Service Company and has no relationship to Ronsin. (Grant Dec. at para. 7.)

Ronsin currently has an ad in Craigslist seeking another field representative in the Hayward field office to cover the Bay Area. (Grant Dec. at para. 8.)

Ronsin does not give information to Dun & Bradstreet, Inc. and has not for over ten (10) years. The information regarding the number of Ronsin employees outside of Southern California is not accurate. Over 95% of Ronsin employees work in Southern California. The 40% of employees working in Southern California (and the 60% working outside of Southern California) as listed in the Dun & Bradstreet report is flat out wrong. (Grant Dec. at para. 9.) Finally, in order to be allowed to have Ronsin field representatives copy records in Alameda County, a bond was required to be filed with the Alameda County Clerk's Office. (Grant Dec. at para. 10.)

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REPLY TO OPPOSITION TO MOTION TO DISMISS AND DECLARATION OF DENNIS GRANT IN SUPPORT THEREOF

1 Thus, it is apparent that Plaintiff Second Image has greatly overstated Defendant Ronsin's
2 presence in Northern California. Plaintiff's allegations contained in its opposition regarding the size
3 of Ronin's presence in Northern California are simply incorrect.


4 Finally, as stated in Ronsin's original motion, substantially all of Ronsin's work is
5 performed at the corporate offices in Southern California. This includes the receipt of all requests
6 and orders for work, the order entry process, subpoena preparation, telephone calls, film processing,
7 digitizing of records, printing of records, mailing records to clients and retention of records as well
8 as the computer data base. Ronsin's agent for service of process is in Los Angeles, California.

9 Thus, it is clear based on the above that Ronsin does not reside in the Northern District of
10 California.

11
12 **III. CONCLUSION**

13 Therefore, based on the foregoing, Defendant Ronsin's Motion to Dismiss should be granted
14 and Plaintiff's Complaint should be dismissed.

15
16 *Respectfully submitted,*
17 **MOHAJERIAN LAW OFFICES**

18
19 By: 
20 **AL MOHAJERIAN**
21 **AARON G. CAPPS**
22 Attorneys for Defendant,
23 **RON SIN PHOTOCOPY, INC.**
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the address given for service of process on Ronsin Technology, Inc.

3. The only Ronsin offices located in Northern California are field offices. Ronsin specifically has only one (1) office in the Bay area, the Hayward field office. Two (2) full time field representatives work out of this field office.

4. Ronsin has one (1) other field office in Northern California (Sacramento). A single field representative works out of this Sacramento office. Another full-time field representative works out of her home in Stockton, California.

5. Ronsin has two (2) part-time field representatives who work from their homes located in Chico, California and Santa Rosa, California.

6. Ronsin sold its 50% ownership interest in the "Attorney Service Business" in early 2006. The Ronsin website has not been updated to reflect this change.

7. Ronsin's website has not been updated since the Attorney Service Company was sold in early 2006. Rapid Legal is the new name of the Attorney Service Company and has no relationship to Ronsin.

8. Ronsin currently has an ad in Craigslist seeking another field representative in the Hayward field office to cover the Bay Area.

9. Ronsin does not give information to Dun & Bradstreet, Inc. and has not for over ten (10) years. The information regarding the number of Ronsin employees outside of Southern California is not accurate. Over 95% of Ronsin employees work in Southern California. The 40%

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DECLARATION OF DENNIS GRANT

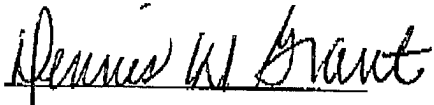
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1 of employees working in Southern California (and the 60% working outside of Southern California)
2 as listed in the Dun & Bradstreet report is flat out wrong.

3 10. In order to be allowed to have Ronsin field representatives copy records in Alameda
4 County, a bond was required to be filed with the Alameda County Clerk's Office.

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6 I declare under the penalty of perjury under the laws of the United States that the foregoing
7 is true and correct.

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9 Dated: December 12, 2007


10 Declarant

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DECLARATION OF DENNIS GRANT

2

PROOF OF SERVICE

(California Code of Civil Procedure, " 1011, 1013, 2015.5; California Rules of Court, Rule 2008(c))

SECOND IMAGE, INC. V. RONSIN PHOTOCOPY, INC

Case No.: C075242

STATE OF CALIFORNIA)

COUNTY OF SAN FRANCISCO)

I am employed in the county of LOS ANGELES, State of California. I am over the age of 18 and not a party to the within action; my business address is: *1925 Century Park East, Suite 350, Los Angeles, CA 90067.*

I served the foregoing document described as **REPLY TO MOTION TO DISMISS AND DECLARATION OF DENNIS GRANT IN SUPPORT THEREOF** in this action

X by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
 ___ by placing ___ the original ___ a true copy thereof enclosed in sealed envelopes addressed as follows:

Henry Burgoyne, Esq.
 Kronenberger Burgoyne, LLP
 150 Post Street, Suite 520
 San Francisco, CA 94108

Steve Dahm, Esq.
 Cesari, Werner & Moriarty
 360 Post Street, Fifth Floor
 San Francisco, CA 94108

BY PRIORITY MAIL I caused said envelope to be deposited in the U.S. Mail, as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day, with postage thereon fully prepaid, at Los Angeles, California, in the ordinary course of business. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this affidavit.

BY FACSIMILE I served the forgoing document on the office of the addressee pursuant to CRC 2008 at the party's facsimile number shown hereinabove. A transmission report was properly issued by the sending facsimile machine, and the transmission reported as complete without error.

X **BY FEDERAL EXPRESS** I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, (copy of the attached document), together with a signed copy of this declaration, in an envelope designated by the said express service carrier, with deliver fees paid or provided for, addressed as listed above.

BY HAND I caused said envelope to be delivered by hand/messenger to the offices of the addressee.

Executed on December 12, 2007 at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Signature):
 Print Name: SAMANTHA M. MEDEIROS

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